
UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

ADOLFO YBARRA, JR.,

§

Plaintiff,

§

versus

§ CIVIL ACTION NO. 9:21-CV-18

DAVID D. DICKERSON, *et al.*,

§

Defendants.

§

**ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION**

Plaintiff Adolfo Ybarra, Jr., a prisoner previously confined at the Polunsky Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se* and *in forma pauperis*, brought this civil rights action pursuant to 42 U.S.C. § 1983 against David D. Dickerson, Justin Trimble, Nita Neyland, Heather D. Watson, Billy H. Jackson, and Kelly Strong.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, for consideration pursuant to the applicable laws and orders of this court. The magistrate judge recommended granting Defendants' motion for summary judgment. To date, the parties have not filed objections to the report.

The court received and considered the Report and Recommendation of United States Magistrate Judge pursuant to such referral, along with the record, pleadings and all available evidence. After careful review, the court finds that the findings of fact and conclusions of law of the United States Magistrate Judge are correct.

Accordingly, the Report and Recommendation of the United States Magistrate Judge (#58) is **ADOPTED**. Defendants' motion for summary judgment (#36) is **GRANTED**. A final judgment will be entered in accordance with this order.

SIGNED at Beaumont, Texas, this 27th day of March, 2023.



MARCIA A. CRONE
UNITED STATES DISTRICT JUDGE